

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

SECURA INSURANCE COMPANIES)	
a/s/o TEMPERATURE ENGINEERING,)	
INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2023-cv-02989
)	
WENDY'S INTERNATIONAL, LLC)	
d/b/a THE WENDY'S COMPANY, and)	Judge Matthew Kennelly
WENDY'S PROPERTIES, LLC,)	
)	
Defendants.)	

MOTION FOR VOLUNTARY DISMISSAL

NOW COMES the Plaintiff, SECURA INSURANCE COMPANIES as subrogee of TEMPERATURE ENGINEERING, INC., by and through its attorneys, THOMPSON, BRODY & KAPLAN, LLP, and respectfully requests that the above-captioned case be voluntarily dismissed, without prejudice, pursuant to Federal Rule 41(a)(2) and Illinois Section 2/1009, and states follows:

In support of this motion, the Plaintiff states as follows:

1. The Plaintiff, SECURA INSURANCE COMPANIES as subrogee of TEMPERATURE ENGINEERING, filed its original action in the Circuit Court of Cook County, Illinois.
2. The Defendant(s) removed this action to the Federal Court, where it is now pending.
3. The Defendant has recently tendered its defense and the matter has been reviewed.
4. As a result of these present circumstances, the Plaintiff is requesting that the case be voluntarily dismissed.

5. There are no pending counterclaims in this case, nor are there any pending dispositive motions.

6. Thus, the Plaintiff respectfully requests that this Court enter an Order granting this Motion pursuant to Federal Rule of Civil Procedure 41(a)(2) and voluntarily dismissing the entire-above captioned case, without prejudice, and with each party to bear its costs and fees.

WHEREFORE, for the foregoing reasons, the Plaintiff hereby requests that this Honorable Court enter an Order granting this Motion voluntarily dismissing the entire-above captioned case, without prejudice, and with each party to bear its costs and fees.

Dated: July 14th, 2023

Respectfully submitted,

On behalf of **Secura Insurance**
a/s/o Temperature Engineering

By: /s/Stuart M Brody

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